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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,355	01/24/2002	Bruce Bradshaw	P05141US0	8052

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SUITE 3200
DES MOINES, IA 50309-2721

EXAMINER

MAI, TRI M

ART UNIT	PAPER NUMBER
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3727

DATE MAILED: 11/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,355

Applicant(s)

BRADSHAW, BRUCE

Examiner

Tri M. Mai

Art Unit

3727

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Aldcroft et al. (5944081). Aldcroft teaches a club cover having a protective cover having an upper portion and a lower portion as shown in Figs. 9 and 12, and a resilient clip at portion 70 and 100. Note that each clips 70 and 100 has a C-shape and has inverted ends as claimed.

Regarding claim 5, note the partially open collar between portions 86 as shown in 11.

3. Claims 1-6, 8, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Sander (5547193). Sander teaches a cover having a protective cover, and a clip at portion 22 as shown in Fig. 1

Regarding claim 5, it is note that there is an open collar at portion 19 (the opening of the pocket).

4. Claims 1-6, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Philippi (4213614). Philippi teaches a cover having a protective cover, and a clip at portion 15 as shown in Fig. 2

Regarding claim 8, there is a liner at portion 11c (the bottom of the pocket 12).

Claim Rejections - 35 USC § 103

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Aldcroft et al. or Sander in view of Thompson (4378832). Aldcroft meets all claimed limitations except for the clip being made from metal. Thompson teaches that it is known in the art to make a clip 40 from metal. It would have been obvious to one of ordinary skill in the art to make the clip from metal in Aldcroft as taught by either Thompson or Sander to provide added strength.

Furthermore, It would have been obvious to one of ordinary skill in the art to make the clip from metal in Aldcroft to provide the desired material for strength and durability.

6. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gaffney (5547193) in view of Sander. Gaffney teaches a cover with two layers as shown in Fig. 5. Gaffney meets all claimed limitations except for the clip. Sander teaches that it is known in the art to provide a clip 22. It would have been obvious to one of ordinary skill in the art to provide a clip in Gaffney as taught by Sander to provide an alternative means for holding the club with the cover.

Regarding claim 7, it would have been obvious to one of ordinary skill in the art to make the clip from metal to provide the desired material for strength and durability.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (703)308-1038. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee W Young can be reached on (703)308-2572. The fax phone numbers for the

Art Unit: 3727

organization where this application or proceeding is assigned are (703)305-3579 for regular communications and (703)305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1148.

Tri M. Mai 
Examiner
Art Unit 3727

November 7, 2002